

Exhibit P

Re: Garcia v. City of LA, Ex Parte Application for Order to Show Cause re: Contempt

Shayla R. Myers <SMyers@lafla.org>

Fri 8/7/2020 8:51 AM

To: Scott Marcus <Scott.Marcus@lacity.org>

Suffice it to say no amount of coffee will properly account for this day.

I hope it provides you comfort as well to know I took great pains to NOT say you took no steps to comply with the order. I imagine your office did take steps. My point, which I believe is accurate, is that the City did not take steps to ensure the notices used by the City (and not just the city attorney's office) complied with the order before posting them. If that is inaccurate, we would welcome your team to let us what steps the City took to ensure the notices used by LA SAN complied with the order.

And we are aware that the new permanent signs posted after the order were changed, but we are referring specifically to the temporary notices. I believe that is clear from the context of the call and email.

On Aug 7, 2020, at 8:36 AM, Scott Marcus <Scott.Marcus@lacity.org> wrote:

Yes, apparently I haven't had my coffee this morning. Thank you for alerting me.

But it should give you some comfort to know that we did, in fact, take actions after the order was issued to make sure we complied with the order. Obviously those actions were not 100% successful, but it wasn't because we didn't try.

Scott Marcus
Chief, Civil Litigation Branch
Los Angeles City Attorney's Office
200 North Main Street
City Hall East, 7th Floor
Los Angeles, CA 90012
(213) 978-4681

On Fri, Aug 7, 2020 at 8:23 AM Shayla R. Myers <SMyers@lafla.org> wrote:
I assume this was sent in error.

Shayla Myers | Senior Attorney
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From: Scott Marcus <Scott.Marcus@lacity.org>
Sent: Friday, August 7, 2020 8:17 AM
To: Shayla R. Myers <SMyers@lafla.org>
Cc: Gabriel Dermer <gabriel.dermer@lacity.org>; Patricia Ursea <patricia.ursea@lacity.org>; Felix Lebron <felix.lebron@lacity.org>; Herbert, Benjamin Allen <benjamin.herbert@kirkland.com>; Cathy Sweetser <catherine.sdshhh@gmail.com>; Onufer, Michael <michael.onufer@kirkland.com>
Subject: Re: Garcia v. City of LA, Ex Parte Application for Order to Show Cause re: Contempt

My main issue with her email is her assertion that the City didn't do anything to comply with the order. I would like our response to correct that record to the extent possible. Thanks.

Scott Marcus
Chief, Civil Litigation Branch
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City Hall East, 7th Floor
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(213) 978-4681

On Thu, Aug 6, 2020 at 9:01 PM Shayla R. Myers <SMyers@lafla.org> wrote:
Gabriel,

Thank you for the call this afternoon regarding Plaintiffs' contemplated ex parte application for an OSC re: contempt. It was encouraging to hear that counsel is in agreement that the City violated the Court's April 13, 2020 injunction by posting notices on July 30 and August 3. It remains very concerning that the City did not take steps following the entry of the Court's preliminary injunction to ensure that the notices used by LA Sanitation conformed to the Court's order. Even more troubling is the fact that the City still did not take steps after the Council vote on July 29 and prior to actually resuming the comprehensive cleanups.

And as we discussed, while it may be the City's position that LA Sanitation simply did not amend the Notice of Major Cleaning to account for the Court's order, this does not account for LA Sanitation's use of the Notice re: Bulky Items on August 3. The use of these notices was consistent with the very public, very erroneous position taken by Council Member Buscaino regarding the Court's preliminary injunction, as well as the statements from LA Sanitation that we relayed to your office in late June.

These events more than justify Plaintiffs' contemplated motion for contempt, but we remain committed to reaching agreements between the parties and avoiding judicial intervention whenever possible. As such, we will hold off filing the ex parte application tomorrow, in order to give the parties more time to reach an agreement on a stipulation and declaration.

We will circulate a draft stipulation tomorrow morning, and if the parties can reach agreement tomorrow on the contents, we will file that instead of our

motion.

Thanks,

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From: Shayla R. Myers
Sent: Thursday, August 6, 2020 2:13 PM
To: Gabriel Dermer <gabriel.dermer@lacity.org>; Patricia Ursea <patricia.ursea@lacity.org>; Scott Marcus <Scott.Marcus@lacity.org>; Felix Lebron <felix.lebron@lacity.org>
Cc: Herbert, Benjamin Allen <benjamin.herbert@kirkland.com>; Cathy Sweetser <catherine.sdshhh@gmail.com>; Onufer, Michael <michael.onufer@kirkland.com>
Subject: Garcia v. City of LA, Ex Parte Application for Order to Show Cause re: Contempt

Counsel,

Attached please find correspondence regarding Plaintiffs' contemplated Ex Parte Application for Order to Show Cause re: Contempt and Sanctions

Thanks,

Shayla

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